

Illegal Killing of Soviet Prisoners of War by Finns during the Finno-Soviet Continuation War of 1941–44

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FINLAND's war fought against the Soviet Union from June 1941 to September 1944 is known as the 'Continuation War'. The name is based on the notion that this war would not have taken place without the preceding Winter War of 1939–40. Through constant pressure and threats of a fate similar to that suffered by the Baltic countries, by June 1941 the Soviet Union had driven Finland into an unofficial alliance with Germany. Thus, when the Continuation War broke out, Finland not only saw an opportunity to take revenge, but also to pursue a path of conquest that went beyond reclaiming the territories seized by the Soviet Union in the Moscow Peace Treaty of 1940. Finland's undeclared aim was to take Soviet Karelia. By the end of 1941, Finnish troops had taken back the territories ceded in the Moscow Peace Treaty and conquered most of Soviet Karelia. Contrary to expectations, however, Germany failed to defeat the Soviet Union. When the Soviets launched a massive attack on the Finnish fronts in June 1944, the Continuation War, which had begun as an offensive, turned into a repetition of the Winter War, essentially a fight for the survival of the nation, its individual citizens and democratic institutions. The Continuation War ended in September 1944 with the signing of an armistice. Besides the Soviet Union, another party to the treaty ending hostilities was Britain, which had declared war against Finland in December 1941. The United States, however, had never declared war, breaking off diplomatic relations as late as June 1944.¹

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¹ On Finland in the Second World War, see Olli Vehviläinen, *Finland in the Second World War Between Germany and Russia*, trans. Gerard McAlester, Basingstoke, 2002; Carl Van Dyke, *The Soviet Invasion of Finland, 1939–40*, London and Portland, OR, 1997; A. F. Upton, *Finland in Crisis 1940–1941: A Study in Small-Power Politics*, London, 1964; Tuomo Polvinen, *Between East and West: Finland in International Politics, 1944–1947*, ed. and trans. D. G. Kirby and Peter Herring, Minneapolis, MN, 1986; J. E. O. Screen, *Mannerheim: The Finnish Years*, London, 2000.

Adopted by the Hague International Conference in 1907, the Regulations contained in the IV Convention Respecting the Laws and Customs of War on Land obliged the government of the country capturing prisoners of war to maintain them and ensure their safety. Under the Regulations, it was prohibited to kill or harm soldiers of a hostile government who had surrendered or ceased to fight. Finland had adhered to the Hague Convention but, during the Continuation War, the General Headquarters (GHQ, *päämaja* in Finnish) determined that it was not binding in Finland since, in their judgement, the Soviet Union was not a signatory of the Convention. Finland guaranteed only certain basic rights to the Soviet POWs. In practice, however, the international conventions were binding in Finland, at least in terms of customary law. Moreover, certain sentences on war crimes issued after the wars deemed that the Hague Convention did constitute valid law during the war. It should be noted that Finland had not ratified the 1929 Geneva Convention, because certain sections of the Finnish Military Penal Code were deemed to be in conflict with the Convention.²

Nevertheless, the Soviet Union informed Germany, sending the message through Sweden in July 1941, that it would respect the provisions of the IV Hague Convention (1907) if Germany did the same. The Soviet Union was not willing to apply the Geneva Convention (1929) to the exchange of information on POWs because, being almost pathologically afraid of spies, it did not want international inspections of camps where POWs were interned. Finland, Germany's 'co-belligerent' (ally), did not receive this communication. Germany, however, rejected the Soviet's tentative request since it planned to destroy the entire 'Jewish-Bolshevist' nation by force, rendering the matter of POWs irrelevant. The opportunity to improve the status of the POWs in the war between Finland and the Soviet Union under the IV Hague Convention was thus lost, although it is reasonable to question whether the Soviet Union would have respected the provisions of the Hague Convention had they accepted them.³

² D. Schindler and J. Tomas (eds), *The Laws of Armed Conflicts: A Collection of Conventions, Resolutions and Other Documents*, Dordrecht, 1988, pp. 69–98, 339–66; Jukka Lindstedt, *Kuolemaan tuomitut: Kuolemanrangaistukset Suomessa toisen maailmansodan aikana*, Helsinki, 1999, pp. 126–31, 145–47; Raija Hanski, *Behandlingen av krigsfångar under vinter- och fortsättningskriget*, Åbo, 1999, pp. 15–24. On the GHQ attitude towards the validity of the Hague Convention in 1941, see National Archives of Finland (hereafter NA), Sörnäinen (former Military Archives), T-16653/5–6. This article is based on my book *Vankisurmat: Neuvostosotavankien laittomat ampumiset jatkosodassa*, Helsinki, 2008.

³ *Report of the International Committee of the Red Cross on its Activities during the Second World War (September 1, 1939–June 30, 1947)*, 3 vols, Geneva, 1948, 1, pp. 404–36, 2, pp. 253–57, 279–80; André Durand, *Histoire du Comité international de la Croix-Rouge: De Sarajevo à Hiroshima*, Geneva, 1978, pp. 434–50; Christian Streit, *Keine Kameraden: Die Wehrmacht und die sowjetischen Kriegsgefangenen 1941–1945*, Stuttgart, 1978, pp. 224–37; NA, Sörnäinen, T-16653/5–6.

Signed in September 1944, the treaty ending hostilities obliged Finland to bring to justice the citizens who had committed war crimes. The Soviet Union forced Finland to issue prison sentences to some of the country's leading politicians, who were considered by the Soviets to be responsible for the Finnish Continuation War. However, this article will not focus on these political trials but instead on the crimes committed by Finns against Soviet POWs, and amongst them only homicides or illegal killings. The Soviet Union allowed the Finnish military and non-military courts to convict those who had committed crimes in conformity with Finnish laws. The Soviets monitored court processes, sometimes intervening in individual cases. Ultimately, however, the Soviets were fairly satisfied with the operation of the Finnish authorities regarding war crimes, as long as they demonstrated an acknowledgement, through the sentences meted out, of the Soviet Union's superior authority. Through the Allied Control Commission stationed in Helsinki, the Soviet Union controlled Finland until the signing of the actual peace treaty in 1947. Chaired by the Leningrad party leader, A. A. Zhdanov, the Commission also had a British department which, however, gave the Soviets a virtual free hand to operate as they pleased in Finland.⁴

In the democratic states that won the Second World War, it was exceptional that trials be brought against the country's own soldiers suspected of war crimes. Having been defeated, Finland had to organize many pre-trial investigations and court proceedings, keeping the Soviet Union informed about the sentences. By the end of 1948, over 700 people had received punishments in their final sentences. In 1945–50 there were about 300 cases brought as far as the Supreme Court, with 200 focusing on homicides and the rest on assault and battery or other less serious crimes.

A POW could be legally killed if, despite the order of the guard to halt, the prisoner continued to escape or else offered violent resistance to the guard. In many cases, it remained unclear whether the POW had been killed legally or illegally. Many unlawful killings were staged as attempted escapes which ended in the shooting of the POW. A lapse of several years between a crime and the court investigation tended to undermine the reliability of witnesses. Crime scenes could no longer be visited if they were on the Soviet side of the border. As the victims had

⁴ David Kirby, *A Concise History of Finland*, Cambridge and New York, 2006, pp. 231–37; J. H. Magill, *Tasavalta tulikokeessa: Muistelmia Suomesta kuumen ja kylmän sodan vuosilta*, Mikkeli, 1981, pp. 99–140 (memoirs of a British member of the Allied Control Commission). Russian criticism against the Finnish trials for war crimes: Gosudarstvennyi arkhiv Rossiiskoi Federatsii, f. R-9401, NKVD-MVD (osobyie papki, prikazy: osobaia papka Stalina), op. 2, d. 94, ll. 49–58, Head of the administrative department of the Control Commission Styrov to People's Commissar for Internal Affairs Beriia on 22 June 1945.

been buried during the war their wounds could no longer be inspected. Often, the actual day of the incident was unknown. Moreover, the accused and their witnesses frequently distorted evidence (a legal right of the accused but not of the witnesses), sometimes to an incredible extent.

Despite exceptionally good source material, Finnish war crimes have hardly been investigated. During the post-war decades any investigation was considered too controversial or too sensitive, likely to provoke fierce reaction from the Soviet Union.

Illegal killings of POWs at the front as reflected in the sentences passed by the Supreme Court

Among the cases in which POWs were shot in combat circumstances at the front during the Continuation War, fifty-six proceeded from the lower courts to the Supreme Court (*korkein oikeus*) in 1945–49. In thirty-three cases, the Supreme Court imposed punishments on thirty-five people. In twenty-three cases no punishments were handed down. In all, these cases concerned the killings of 181 POWs. This figure only represents the numbers recorded, and should be considered as the lowest possible number of killings in these cases.

The most common category of crime resulting in a conviction was manslaughter. In these cases, the category also included instigation or accessory to manslaughter. 'Conduct unbecoming to a soldier' referred to shooting a POW or an enemy soldier's dead body.

Broken down by the situation at the time of the crime, those punished by the Supreme Court represented the following military ranks: captains and higher officers — thirteen; lieutenants and second lieutenants — nine; non-commissioned officers and rank-and-file — thirteen. The relatively low percentage of NCOs and rank-and-file soldiers is partly explained by the fact that, if they had followed the order to kill given by their superiors, they would not be punished, even

Table 1. *Category of crime related to the sentences issued by the Supreme Court for the illegal killing of POWs at the front*

Murder	—
Manslaughter	22
Involuntary manslaughter	9
Conduct unbecoming to a soldier	3
Breach of official or service duty	—
Assault and battery	1
Total	35

NB. If a person was convicted of several offences, the above table only lists the principal crime.

though they had actually carried out the killing. Almost without exception, the man who fired the gun was one of the rank-and-file. The higher officers, in particular, did no shooting in these cases. Compared to their number, the disproportionate percentage of the officers, especially the highest officers, amongst those sentenced was due to three reasons:

1. They were more caught up by the spirit of revenge during the early days of the Continuation War, compared on average to the NCOs and rank-and-file.
2. Rank-and-file were generally not deemed capable of understanding the illegality of the order to shoot, if given by their superior. The rank-and-file who fired their guns were not punished in such cases.
3. The whistle was blown more easily on officers, compared with the rank-and-file, whose crimes against the POWs were willingly forgotten by their peers.

Most of the summary killings of POWs at the front, examined by the Supreme Court, took place in 1941 and to a lesser extent the following year. In 1942, the cases were concentrated in the early part of the year (nine out of eleven). It is plainly evident that the course of the war between Germany and the Soviet Union, and Finland's role in that context, had a decisive impact on the treatment of POWs. The killings of interned POWs are also concentrated in the early part of the war. Instructions to prisoner-of-war camps became stricter, and more favourable to POWs, from 1942 onwards.

At the onset of and during the war, only Finland's military and political leaders knew how closely they had tied Finland to Germany's plans against the Soviet Union. The German offensive began on 22 June 1941 but Finland, with its troops already mobilized, announced that the country would remain neutral. The Soviet Union commenced hostilities against Finland on 25 June. This provided the Finnish government with the opportunity to explain that the country had fallen

Table 2. *Time of the summary killings of POWs at the front, brought before the Supreme Court*

1941	40
1942	11
1943	1
1944	4
Total	56

Sources of Tables 1–2: NA, Supreme Court, records of sentences and case files 1945–49.

victim, for the second time, to its eastern neighbour's aggressions.⁵ Most Finns (not only the right-wing parties but also the Social Democrats, who had ministers in government throughout the war) willingly accepted this explanation. The victories of the Germans and the Finns gave the impression to many people that the enemy was facing a thorough defeat. Contrary to the Winter War which Finland fought alone, there was now no need to pay attention to the general opinion of Sweden, the Western Allies and other democratic countries. Only Germany counted. Even those who suspected that the Western powers would eventually win the war believed that Germany would defeat the Soviet Union before that.⁶ Under such circumstances, the life of a POW often had little value.

In the latter part of 1942 and throughout the following year, the Finnish fronts were relatively quiet. Since there was no fighting, few POWs were taken. After the battle for Stalingrad turned into a massive Soviet victory and the besieged Germans capitulated in late January and early February 1943, the hopes of a German victory nurtured in Finland started gradually to evaporate. Whatever the terms of the Finnish peace treaty might be, the Soviet Union was gaining momentum, and Finland would badly need all the support it could get from the Western Allies and the neutral European countries. Finland could not afford to lose sympathy by treating POWs badly.⁷

During the early stages of the Continuation War, the Russians were not only generally hated but also despised. Although their soldiers often fought with great sacrifice, resilience and determined resistance, the predominant image was that of a poorly managed army, resulting in tens of thousands of POWs in the hands of the Finns. Sixty-three thousand of the 65,000 prisoners taken during the entire Continuation War were caught by the end of August 1942.⁸ A combination of hatred and contempt for the Soviet army and confidence in certain victory played a major role in many of the summary killings of POWs in 1941–42. In the summer of 1944, the Soviets were the winners on the

⁵ On the breakout of the Continuation War, see Mauno Jokipii, *Jatkosodan synty: Tutkimuksia Saksan ja Suomen sotilaallisesta yhteistyöstä 1940–41*, Helsinki, 1987, pp. 291–628.

⁶ Markku Jokisipilä, *Aseveljiä vai liittolaisia: Suomi, Hitlerin Saksan liittosopimusvaatimukset ja Rydin-Ribbentropin sopimus*, Helsinki, 2004, pp. 49–53.

⁷ Kirby, *A Concise History*, pp. 226–31.

⁸ During the Continuation War, Finnish troops took approximately 65,000 prisoners. Moreover, the Germans handed over some 2,000 prisoners in an exchange (the same number was transferred to the Germans). The Soviet forces took about 3,000 Finnish soldiers as prisoners in 1941–44. The total number of Soviet POWs is a rough estimate because the number of the POWs who perished before their registration is uncertain. See note 23.

Finnish front. Nevertheless, they were unable to retake all the territories ceded in the Treaty of Moscow (1940), or those conquered by the Finns in 1941, let alone occupy the whole of Finland.⁹ Compared with the offensive of 1941, the Finns took far fewer POWs. Although the attitude to the Russians had certainly not changed, their conduct in the theatre of war had to be respected. In addition, POWs were a valuable means of acquiring information on the tactical status of the enemy. When the cases of summary killings of POWs are broken down by the time of events, we find only four cases in 1944, a very small number compared with 1941 and 1942. However, there were far more intensive battles in the summer of 1944 than in all of 1942.

Reasons for the illegal killing of POWs at the front

According to Ville Kivimäki, the Finns could not have had 'better' enemies than the Russians. Dating back to the Civil War of 1918, it was traditional to dehumanize the Russians, to regard them as 'the others', 'the strange' and 'the savages' (as opposed to the humane Finns). Between the two world wars, the intelligentsia and the rightists, in particular, had maintained a state of war, in their minds, against the Bolshevik-Russian enemy. Owing to the Winter and Continuation Wars, hatred of the Russians spread into other areas of society. Official war propaganda and individual experiences of the war further demonized the image of the enemy. The Finns found the enemy's combat habits strange and treacherous, even believing that their camps and materials emanated a weird, repulsive stench. By sustaining the image of a dehumanized enemy, war propaganda sanctioned murder, for killing a monster was not the same as killing one's fellow, Christian, man. In war, mankind's common God becomes the God of individual tribes and chosen peoples.¹⁰

During the First World War, it was noticed that 'attacking men find it impossible to suspend their desire to kill the enemy in the face of a gesture of surrender'. 'If you start a man killing, you can't turn him off again like an engine'.¹¹ An eyewitness in a Finnish case of a POW killing reported the same, saying that 'a normal soldier is beside himself in a fierce battle'.¹² This also applied to officers. The desire to take revenge for the losses of their men, for atrocities or bad conduct on the

⁹ J. Leskinen and A. Juutilainen (eds), *Jatkosodan pikkujättiläinen*, Helsinki, 2005, pp. 786–1069.

¹⁰ Ville Kivimäki, 'Sotilaan työ, siviilin taakka', in T. Kinnunen and V. Kivimäki (eds), *Ihminen sodassa: Suomalaisten kokemuksia talvi- ja jatkosodasta*, Helsinki, 2006, pp. 195–96. On the 'hatred felt for the Russians' see, for example, Heikki Luostarinen, *Perivihollinen: Suomen oikeistolehdistön Neuvostoliittoa koskeva viholliskuva sodassa 1941–44*, Tampere, 1986.

¹¹ Niall Ferguson, *The Pity of War*, New York, 1999, p. 380.

¹² NA, Supreme Court, 1363/691 VD 1947, p. 12.

battlefield were the major individual reasons for killing POWs. The desire for revenge was often closely associated with the heat of battle. Sometimes the quest for retribution was more premeditated, and not a result of momentary exaltation. Fierce fighting not only excited but also brutalized men.

The wounded or those who feigned death might be 'secured' or shot because of a fear of leaving them in the rear, where they could potentially become a danger by getting hold of a weapon. Sometimes, however, the danger posed by prisoners was mistakenly assumed to be greater than it actually was. Wounded soldiers were also 'neutralized' to make it easier to collect war booty. POWs were occasionally killed because it was felt that there were already enough of them. They were not wanted because they were a nuisance — they had to be guarded, would eat scarce rations or would need to be transported elsewhere. Wounded POWs could well have been killed for the same reasons. A POW's unwillingness to answer an interrogator's questions might in some cases result in their death. In an interrogation situation the POW always had to consider that their unwillingness to cooperate could have fatal consequences. Some interrogators felt that if they had intimidated the POW by saying that their silence might lead to their being shot, they had no choice but to keep their word. The fact that killing a POW only rarely led to a wartime trial was a disincentive to keep them alive.

Finally, there were more individually conditioned reasons, for example, killing POWs due to loss of sanity, drunkenness or the effects of medicine. It was typical of many officers to adopt a harsh character profile, which was, in a way, part of their professional image. Political factors may also have made the attitude towards POWs harsher. Those with a *suojeluskunta* (civil guard) background were certainly overrepresented in the above cases, because virtually all officers in regular service and the absolute majority of the officers in reserve were or had been with the civil guards. (The *suojeluskunta*, or civil guards, were the right-wing official defence organization dating back to the 1918 Civil War.) The impression is that a right-wing vision of the world correlated fairly well with participation in the illegal killing of POWs at the front. However, this does not mean that all right-wing soldiers would have killed POWs, and this undoubtedly applied to the vast majority.

The question remains as to what percentage of the summary POW killings at the front were eventually brought to justice after the war. For the purposes of the present study, I have analysed all the cases examined by the Supreme Court, as well as all the cases at the military high court involving an officer. It is impossible to estimate what percentage of the POW killings at the front were forever forgotten, but it must be relatively large. I would think that only a clear minority of

all POW deaths at the front ever ended up before a court. Had it been possible to map these cases, it would probably have transpired that the acts committed by the rank-and-file and NCOs on their own initiative, without orders from superiors, accounted for a considerably larger percentage than is suggested by the breakdown of the cases at the Supreme Court.

In order for a case to be investigated, considered with a view to bringing charges and brought before a court, someone had to denounce the suspect. Officers often had more enemies than the rank-and-file, because the former exercised the disciplinary power of the superior, and came from social circles different from those of the rank-and-file and the NCOs. Denunciations were almost always coloured by personal grudges. Sometimes politics also played a role but mostly it was a noble excuse to disguise naked hatred. An officer unpopular with his men was at particularly great risk of finding himself before a judge for his offences. The illegal killing of POWs by the rank-and-file did not attract as much attention as those based on an order given by an officer. Out of mutual solidarity, brothers-in-arms kept quiet about the bad things they saw in the heat of battle. Officers were often denounced only by those who did not fit in in their own detachment. Mutual solidarity was particularly efficient in keeping officers silent, and some of them had no scruples about twisting the truth in court. However, the rank-and-file mostly also agreed that it was often best to forget.

In some cases, the accuser could not find the two required witnesses to back the allegations, although it is probable that the subpoenaed witnesses included some extreme leftists.¹³ On the one hand the cases of illegal POW killings revealed the deep social and political conflicts prevailing in the army during the war, but on the other, they also showed the relatively strong solidarity felt between peers as well as towards superiors during and after the war. This had to be so because had there not been a very strong feeling of collaboration, the Finnish army would not have been able to meet the challenges of the Continuation War as well as it did. Many of the extreme leftist men at the front were at one and the same time members of the army community and a radical movement for social change.

Comparison with the behaviour of soldiers in combat wearing the uniform of other countries, especially the democratic states, shows that the surrendering enemy faced a universal problem with safety. Many surrendering enemies lost their lives due to vengeance, fear and cruelty. Occasionally, commanders of detachments ordered that it was

¹³ NA, Supreme Court, 1017/519 VD 1946.

unnecessary to take prisoners.¹⁴ From the American perspective, the Japanese soldiers in the war in the Pacific and the Vietnamese guerrillas constituted an inferior and alien opponent, much more so than the way the Russians were perceived by Finns. The methodical cruelty of the war crimes committed in the Pacific battlefields against the Japanese enemy seems to outweigh any events experienced on the Finnish fronts.¹⁵ Finnish soldiers on the Continuation War fronts killed no more POWs than is almost inevitable in any theatre of war.

Certain cases of summary killings of POWs also revealed details of the defamation and dismembering of dead enemy soldiers' bodies. This occurred on both sides of the Continuation War frontlines. The flies of slain enemies' trousers were opened, to reveal their genitals. The bodies of some female soldiers were stripped from the waist up. Sometimes soldiers had their photos taken next to the enemy dead. These photos, as well as items taken from the dead — insignia, buttons, ammunition, personal belongings — were highly valued as trophies of heroism and victory. During the Winter War fallen enemy soldiers, frozen into strange postures, were taken by Finnish soldiers and placed as road signs along their ski trails. The treatment of fallen enemy dead was ritualized and carnivalized, which freed the soldiers of the inhibitions of civilization, making killing easier and strengthening group spirit. It is a phenomenon familiar to all the battlefields of the world.¹⁶

Nevertheless, the men on the front line respected their enemy, hating them less than the soldiers in the rear or on the home front, who had no direct combat experience. At the beginning of the Continuation War, high-ranking Finnish officers found the compassion felt by their soldiers for their prisoners annoying.¹⁷

It must be emphasized that only a small minority of rank-and-file and officers were guilty of the summary killings of surrendering soldiers; not even the most fervent hatred was enough to make them want to kill their Russian prisoners. The majority of the rank-and-file felt that shooting POWs was a despicable act. As killing was condemned by religious and social morality, the soldiers developed an acceptable and honourable way to kill, in order to reconcile their cultural heritage with their military duty. Shooting an enemy soldier who had given up

¹⁴ Ferguson, *The Pity of War*, pp. 362–86.

¹⁵ John W. Dower, *War Without Mercy: Race and Power in the Pacific War*, New York, 1986, pp. 61–73; Joanna Bourke, *An Intimate History of Killing: Face-to-Face Killing in Twentieth Century Warfare*, New York, 1999, pp. 159–202.

¹⁶ Bourke, *An Intimate History*, pp. 3, 25–31, 88–89; Dower, *War Without Mercy*, pp. 63–66, 70–71; Eric Gardberg, *Adertonde avdelas bataljonen: En minneskrift över Er.P 18 1939–1940*, Helsingfors, 1942, p. 67.

¹⁷ NA, Sörnainen, T-16072, box 30, item 12, order by Lieutenant-General Oesch on 29 September 1941.

the fight did not correspond to a soldier's code of honour. This attitude was also reinforced by the hope that the enemy would save their lives should they be caught as prisoners.

The largest documented mass killing of POWs took place in early September 1941 as the Karelian isthmus was being reconquered. Captain Niilo Ahonen ordered the execution of some fifty recently taken after a fierce Soviet attack, which the captain feared would be repeated. Ahonen was a member of both the pro-annexation *Akateeminen Karjala-Seura* AKS (Academic Karelia Society) and the extreme right-wing *Isänmaallinen kansanliike* IKL (Patriotic People's Movement) but the reason for his order was motivated by the threatening situation, rather than his extreme rightist mentality. Typical of POW killings at the front, it was also evident in this case that it was difficult for the officers to find men among their NCOs and rank-and-file who were willing to shoot the capitulated and defenceless enemies. The Supreme Court deemed that Ahonen was guilty only of involuntary manslaughter, and sentenced him to one year's imprisonment.¹⁸ This was a rare case, since POW killings at the front often concerned only one, or no more than, a few victims.

The cases at the Supreme Court focusing on the illegal killings of POWs at prison camps, POW companies and away from the front

During 1945–49, the Supreme Court examined 148 cases of POWs killed in home-front prison camps, POW companies under the GHQ fortification department or prison camps, or POW units subordinate to the army corps or even larger military operational groups and at the home front (besides the fifty-six cases at the front, discussed above).

The term 'civilian' here refers to the accused as non-military at the time of the crime, with cases proceeding from the normal court in the

Table 3. *Cases with summary killings of POWs behind the frontline, examined by the Supreme Court in 1945–49*

	Cases	Sentenced	Killed POWs
Civilian	9	9	11
Companies of prisoners (fortification department)	43	61	248
Other prison camps and units under detachments and prison camps on the home front, etc.	96	108	241
Total	148	178	500

¹⁸ NA, Supreme Court, 850/435 VD 1946 and sentence 16 September 1946, p. 321.

first instance to a court of appeal and then on to the Supreme Court. The accused in the three lower categories of Table 3 were soldiers, and the cases were examined by a field court-martial and military high court before they were subjected to the Supreme Court.

The cases examined by the Supreme Court involved 500 POWs killed at the rear of the front (181 POWs were killed on the frontline). I have only included cases where the killing of the POW is certain in the light of the pre-trial investigation material or court minutes. Not all cases led to a conviction, or even to charges being brought against the suspect. This may have been because the killing had been legal according to the Court or the public prosecutor, or the event was examined in another case which never proceeded to the Supreme Court. The above Table shows that the summary killings of POWs were a particular problem of the 'L' companies of POWs operating immediately under the GHQ fortification department (L refers to its Finnish name *linnoitusosasto*), and army corps or groups (or other detachments) at the rear of the front, and also to a lesser degree the home front prison camps or other POW units under army corps or groups. On 27 June 1942, there were about 43,200 POWs in Finland, with about 8,000 in the L companies under the GHQ fortification department and 35,200 in other POW units. Far more POWs were killed in the L companies than their proportionate percentage of all POWs would suggest. The L companies of POWs operated immediately behind the frontline, performing building and road construction tasks. This encouraged the prisoners to try to escape. Until autumn 1942 in particular, POWs in the L companies suffered the worst treatment, irrespective of their behaviour. The army corps had far greater involvement in issues of the L companies of POWs than the GHQ fortification department, since the L companies fell under their territorial jurisdiction. By contrast, very few POWs were killed by civilians (farmers or guards in the service of industrial employers).

Table 4. *Category of crime related to the sentences issued by the Supreme Court for the illegal killing of POWs behind the frontline*

Murder	10
Manslaughter	101
Involuntary manslaughter	22
Conduct unbecoming to a soldier	11
Breach of official or service duty	22
Assault and battery	12
Total	178

NB. If a person was convicted for more than one offence, the above table only lists the principal crime.

We must note that sentences were not issued in all cases and that some individuals were only punished for the mistreatment of a POW, without it leading to his death. In some cases, the accused were deemed to have acted legally (by proper action in trying to prevent the POW from escaping or by fending off an attack), or else the circumstances of the POW's death were so unclear that no punishment could be handed down. A guard would shoot an escaping POW after having once or twice ordered him to stop, or after shooting in the air instead of giving a second spoken warning. If the POW died under such circumstances, the man who fired his gun did not commit a crime. A guard could also kill a POW in self-defence, if the latter was threatening his life. Otherwise, it was legal to kill a POW only under a verdict of a court in cases of a crime where a capital punishment could be sentenced according to law.

Unsurprisingly, manslaughter was the most prevalent crime. The accusation of manslaughter could also include incitement and accessory to manslaughter, or killing a POW at his own request. Involuntary manslaughter included not only death caused by negligence or carelessness, but also the loss of life due to battery without intent to kill. If a soldier shot the body of a dead POW, he was sentenced for conduct unbecoming of a soldier.

The NCOs and rank-and-file accounted for a far larger percentage of those punished, compared with the cases of summary killings of POWs at the front. The most common criminal offence committed by the officers of the highest rank was breach of official duty (five officers out of nine). Only one officer in this group was convicted of murder. The NCOs or rank-and-file who acted as commanders of the POW companies have been discussed as a group apart because, as commanders, their status resembled that of officers acting as normal company commanders.

As can be seen from the Table, the killings of POWs behind the frontline were concentrated in the first two years of the Continuation War when the hope that Germany would eventually defeat the Soviet Union in Finland was still strong. The reasons for the concentration of incidents during 1941-42 were the same as at the front proper. Officers of all ranks accounted for a far smaller percentage of incidents

Table 5. *Military rank of those punished at the time of the crime*

Captain or higher officers	9
Lieutenant, second lieutenant or corresponding	29
NCO, rank-and-file or civilian	129
NCO or rank-and-file acting as the commander of a POW company	11
Total	178

442 ILLEGAL KILLING OF SOVIET POWS IN FINLAND

Table 6. *Time of the killing of POWs behind the frontline, brought before the Supreme Court*

1941	44
1942	105
1943	11
1944	8

NB. Some cases are recorded separately under two consecutive years, the incidents having taken place during the two years. The number of cases is 148.

Sources of Tables 3–6: NA, Supreme Court, records of sentences and case files 1945–49.

occurring behind the frontline, compared with killings at the front. Whilst the same motives of hatred and vengeance played an important part in the illegal killing of POWs in camps, the circumstances were different from those at the front. In a combat situation, most soldiers found that killing an enemy who had surrendered was a dishonourable act, and it was often very difficult for officers to persuade their men to carry out these acts. On the other hand, the rank-and-file guards of POW camps often believed they had good reason to kill a POW, simply to set an example to the others. Moreover, continuous interaction with the POWs hardened the guards' attitudes towards them.

Based on information from personal file cards of 178 convictions, only about twenty were or had been a member of a civil guard. Membership, however, was not always and, in fact, rarely recorded in the copy of the personal file card given to the investigating authorities. Membership was recorded on officers' cards only in exceptional cases, even though officers in regular service as well as the majority of reserve officers were probably civil guard members, with some of the former even serving as local leaders of the civil guard organization. Despite this, it is likely that civil guard members were not significantly over-represented amongst the 178 convicted suspects (as opposed to those convicted for the illegal killing of the POWs at the front). The authorities had their hands full trying to find enough guards to control a growing POW population, which at one time reached 60,000; in fact, the numbers recruited were far from sufficient. The Finnish army was a veritable people's army. An enemy's bullet or shell did not choose its victims by party adherence or civil guard membership. Because all able men were needed at the front, camp guard recruits tended to be those who had lost their ability to fight through having been wounded or because of mental problems, illness or age. Politically, the guards

represented a cross-section of the younger male population of Finland. Among those who killed the POWs, there were also individual leftists, even extreme leftists, swept away by the anti-Soviet spirit of the early days of the war (unless it was not simply a question of a brutal mentality). Nevertheless, the numbers of leftists who killed POWs was a tiny percentage of their representation across the entire army.

Men born in the territories ceded to the Soviet Union in the peace of 1940 did not account for a larger percentage of those convicted for POW killings at the front, in proportion to the percentage of evacuees from those territories in the entire Finnish population, about 11–12 per cent. Among the thirty-five men convicted for POW killings at the front, four were born in the ceded areas. This is such a small number that sheer coincidence may play a role. With this reservation in mind, their percentage was 11.4 per cent. Among those convicted for POW killings behind the frontline, those born in ceded Karelia and Hanko (there are none from Salla) account for 25.2 per cent (or forty-five out of 178). Although those born in Karelia, normally living in the ceded areas until the Winter War, were probably more often recruited for POW guard duties, 25.2 per cent is a very high rate compared with 11–12 per cent. Therefore we have reason to suspect that their overrepresentation was also partly caused by feelings of hatred inspired by the loss of their homeland. Indeed, among those convicted there were some Karelians who meted out particularly harsh treatment to the POWs in their charge. It is not fair to conclude, however, that all Karelians would have acted this way, but a somewhat larger percentage of them did, compared with the rest of the Finnish population.

POW killings behind the frontline and related factors

Some of the illegal killings of POWs at prison camps and units were due to the most trivial reasons. In 1942, the prisoners at Hanko POW camp had been told not to leave their marching formation. When a prisoner took a few steps to one side to pick up a cigarette end, the guard shot him.¹⁹ In October 1941, a certain military police second lieutenant shot an East Karelian POW at the prisoner assembly point in Soviet Karelia. It remained unclear whether the reason was because the prisoner was pilfering or because the second lieutenant wanted to show some muscle. According to the denunciation by a Finnish soldier after the war, the second lieutenant 'had said that the chap had a rogue's mug and that was the reason'. The same second lieutenant had not only killed the POW but was also found to be making alcohol

¹⁹ NA, Supreme Court, 513/263 and 1157/590 VD 1946 and 853/431 VD 1947.

and to have shot a pig owned by a kolkhoz. Without registering the bizarreness of the memo, the head of the administrative office of the VII Army Corps wrote in October 1941 that, of the three offences, the second lieutenant should be orally reprimanded for the still and the pig. The army corps staff ruled according to the proposal.²⁰

In Prison Camp no. 9 in Inari, in remote Lapland, six POWs were shot over the New Year 1941/42. Some were caught escaping, others were shot because they were sick. Some of the 'escapees' were trying to get away to steal food. In the minutes written immediately after the shootings, the event was described as the 'elimination' of a rebellion. The extent of the 'rebellion', however, was that once the runaway prisoners had been brought back to camp, they beat up the Polish POW who had reported their escape. Meanwhile, the corporal in charge of the guards had recently been deemed unfit for service at the front due to his feeble nerves. As Christmas 1941 was approaching, he began to celebrate his imminent discharge. Liquor was bought from the Germans (who had the main responsibility for the front in Northern Finland). The guards' drinking got out of hand. The corporal boasted that he had 'cured' two sick prisoners. Before administering the last of his nickel 'ointment', he forced them to drink 'communion wine'. The corporal instigated a fight with his own guards, threatening them with his pistol. Out of control, he shot at the prisoners' barracks, who took cover on the floor. The corporal then went to shoot a Finnish guard who was wearing a brown English greatcoat: 'Another Russian there, let's shoot him.' A second guard took the corporal's rifle, telling him that the 'Russian' was one of their own. The corporal then aimed his rifle at a POW interpreter from Ingria, but the others told him to go to the German camps.²¹

In some places, events were more premeditated, and dozens of POWs were shot illegally. In January 1942, a lieutenant, the head of a POW L company camp in Suomussalmi, Northern Finland, staged an attempted revolt and escape of eleven POWs, which ended with the shooting of twelve POWs. One POW had said that the prisoners were planning to really escape, which might possibly have been true. The lieutenant got tired of being constantly on alert, and ordered his guards to shoot the POWs suspected of planning the revolt and escape, taking

²⁰ NA, Supreme Court, 278/142 VD 1946.

²¹ NA, Supreme Court, 836/428 VD 1946 and 883/447 VD 1947. A recent PhD thesis deals with the secret cooperation between the Finnish and German secret police and also with the extermination of Soviet POWs in Lapland by the Germans. Nothing was known of this previously in Finland beyond the narrow sphere of Finnish accomplices (including possibly some people in government), either during the war or since. Oula Silvennoinen, *Salaiset aseveljet: Suomen ja Saksan turvallisuuspoliisiyhteistyö*, Helsinki, 2008.

them outside the camp gates before any revolt or escape was even attempted. The other guards were told to stay inside, to prevent there being too many witnesses. Axes were brought to where the bodies lay. Finally, in the dead of night, the other POWs were shown the bodies, lit in the glare of car headlamps, to frighten them into behaving. It is possible that the lieutenant arranged the staged event with the permission of the officers from the staff of the III Army Corps but there is no sound evidence for this. In two other cases of POW deaths at the L-91 camp, a total of thirteen POWs were killed.²²

Guards' orders became stricter through instructions from superiors, which emphasized the guards' legal responsibility if the POWs escaped. This meant that the use of force became more prevalent, even in cases of minor disturbances. Youth, immaturity, lack of military training, fear, cruelty, revenge, mental problems and the abuse of alcohol and drugs were also factors in many POW killings. Amongst those convicted for crimes against POWs, one fifth were found not fully criminally accountable due to mental disorder. Unfitness for guard's work accounted for a significant percentage of the illegal killings of POWs.

When a POW was shot for rational but nevertheless illegal reasons, it was due to an attempt to punish disobedience or prevent unauthorized absence. As a rule, discipline at the prison camps was very lax. When the POWs took too many liberties — wandering around camp, pilfering food — the guards would assume a momentary hard line, either on their own initiative or due to orders or admonitions from their superiors, and would shoot the POW breaking the rule, in order to set an example to the others. Illegal shootings could be staged as failed escape attempts, ending in a fatal shooting. Captured prisoners were sometimes also shot. Most prisoners attempting to return to their home territory were found in units close to the front. The POWs held in the central areas of Finland knew that it was very difficult to escape to their side of the front. Those who escaped did not go very far from their camp.

Bringing violations committed by POWs in front of a field court-martial was often felt to be unnecessary or too complicated. Shooting was a more rapid and more certain punishment. It was also unclear what type of punishment would be inflicted by the field court-martial, and what the legal grounds might be, since the Hague Convention did not provide sufficient means for punishing POWs' transgressions. During the war, charges were not brought for shooting a POW, unless it was exceptionally cruel.

²² NA, Supreme Court, 711/366 VD 1948, 1326/675 VD 1946, 59/33 VD 1945 and 874/442 VD 1947; NA, Sörnäinen, T-11497.

Most of the cases of POW disobedience and disturbance were due to a severe lack of provisions during 1941–42 or to ill treatment. By the end of September 1942, 16,000–17,000 POWs had died mainly of hunger and disease. If the POWs who died unregistered are taken into account, then the number of POWs who died during that period could be as many as 19,000–20,000.²³ The catastrophic situation was due to a lack of food, the unpreparedness of the authorities faced with such a large number of prisoners, and to pure indifference. Once the food situation and the general treatment of prisoners improved in 1943–44, the POWs' behaviour also improved and there were fewer shootings. At the beginning of the war, the POWs were seen as a potential and real danger, and they were treated accordingly. Towards the end of the war, well-behaved prisoners were sent to farms to be labourers, and there were no major problems with safety. Had there been the courage and understanding to send prisoners out to work during the first winter of the war in this way, the deaths of POWs from hunger and disease would have been far fewer. The Finnish authorities were too much prisoners of their own negative perception of the enemy to be able to prevent practically the worst possible scenario from happening.

Nevertheless, it is important to remember that some (albeit a minority) of the prisoners posed severe disciplinary problems and were a real threat to the Finnish guards, particularly those who had been convicts in the Soviet Union. Moreover, there were also prisoners who had to be constantly guarded due to their Soviet-Communist (Stalinist) convictions. The most fanatical idealists did not give up their positions, and could not be trusted. Solidarity amongst the Soviet POWs was poor, but this might have been the case in any prison or concentration camp, irrespective of nationality.

In many of the cases of POW killings (approximately one third) it is difficult or impossible to know whether the prisoner was killed legally. The accused and their witnesses often collaborated to systematically distort the facts. Sometimes the accused ended up fighting each other about who would take the blame. The main problem in any case was the time lapse between the offence and the criminal investigation, the tendency to distort memory, or simply forget over time, and the impossibility of visiting crime scenes beyond Finnish borders. Bodies of victims were also buried following incomplete investigations into the crime scene and cause of death. For the most part, doctors gave the correct cause of death (such as a gunshot wound in the back) but a more thorough investigation of the circumstances was rarely carried

²³ The number of registered Soviet POWs who died in 1941–44 was 19,000 but in addition at least 3,000 prisoners died unregistered. See Kujala, *Vankisurmat*, pp. 307–11.

out. In all minor camps, the cause of death was declared not by a doctor, but by a soldier in charge of first aid or the head of the guards. Cursory investigation records drawn up during the war were not always trustworthy, because many distorted the facts. Generally, courts had to rule based on contradictory and often 'tailored' witness statements. Some wrong sentences were handed down, and some men who were actually guilty were not convicted due to insufficient evidence. Nevertheless, it appears that, under the circumstances, the Supreme Court managed to perform this difficult task relatively well.

Before their repatriation in autumn 1944, Soviet POWs were allowed to denounce or report war crimes. Had it been possible to call them as witnesses, at least in some cases, the courts would have had a better chance of making fair rulings. The Soviet Union provided Finland with the written witness statements of Soviet civilians concerning crimes committed in the East Karelian civilian internment camps but nothing more was heard from the Soviet POWs once their train crossed the border in the autumn of 1944. Stalin was merely interested in the surrender of the Soviet POWs, in other words, their treason against the Soviet Union, but not in any potential crime committed against them during their captivity.²⁴

Both the Supreme Court and the lower courts treated the accused from the highest ranks of the army and society's elite rather more leniently than the lesser ranks brought to justice for their conduct. It was, after all, easier for Court members to identify with their peers. A more important influence may have been the fear that the war crimes proceedings could turn into a purge of the army and leading social classes, with the benefits being reaped solely by the Soviet Union and Communist Party of Finland.

Stored at the National Archives (*Kansallisarkisto*), the database on Soviet POW deaths in 1941–44 includes the data on 1,019 POWs who were shot.²⁵ According to my estimates, there were at least 200 prisoners who were shot and not registered. The 1,200 POWs who were shot accounted for over 5 (5.5) per cent of all POWs who died in captivity in 1941–44.

²⁴ R. A. Medvedev, *K sudu istorii: Genezis i posledstviia Stalinizma*, New York, 1974, pp. 939–41; Mikhail Heller and Aleksandr Nekrich, *Utopia in Power: The History of the Soviet Union from 1917 to the Present*, trans. Phyllis B. Carlos, New York, 1986, pp. 389–90, 492; Catherine Merridale, *Ivan's War: Life and Death in the Red Army*, New York, 2006, pp. 112–13, 156, 351–54.

²⁵ 'Suomi, sotavangit ja ihmislouovutukset 1939–1955: Jatkosodan 1941–44 aikana kuolleet neuvostosotavangit' <<http://kronos.narc.fi/jatkosota/jatkosota.html>> [accessed 27 January 2009].

Role played by the middle and upper ranks

The Karelian Isthmus Group took over the command of a large territory (the whole of the front between the Gulf of Finland and Lake Ladoga facing Leningrad) from the IV Army Corps at the beginning of 1942. On 19 November 1941, the commander of the army corps, Lieutenant-General Karl Lennart Oesch, ordered the illegal disciplining of POWs. The order included the following:

1. The treatment of the prisoners must be *extremely* severe. [...]
3. Disobedient prisoners must be immediately *executed at the place of work*, to provide a lesson to the others. The Commander of the army corps has given full authority to do this in its territory.
10. All the disobedient and those inciting prisoners (politruks) must be eradicated without mercy. Should executions be performed, the appropriate marking in the notifications of such cases is 'eliminated'.²⁶

With this order, soldiers assumed rights that only the courts of law were entitled to exercise.

Most of the generals of this army corps had an ideologically conditioned and unrealistic notion of the extreme dangerousness of the POWs. However, the Commander himself did not mean that, based on his order, the POWs were to be shot for fairly harmless acts of disobedience or that his frost-bitten prisoners be sent, instead of to a hospital, to the grave. In the corps, the man appointed to decide issues related to POWs was, either by accident or design, Lieutenant Eero Veikko Nero. He found that the best solution to almost any problem caused by a POW was to shoot him. Since his direct superior, along with the Commander of the engineer forces, accepted this extreme form of discipline, and the staff of the army corps were calling for merciless action, this led to one of the worst individual violations of human rights amongst the POWs in the Finnish army. In a little over six months from November 1941 to June 1942 over 100 POWs were illegally shot. This was not, however, a case of systematic extermination. The crimes were investigated during the war, and GHQ was informed about them, but no charges were brought. GHQ by no means condoned what had happened, but they tried to suppress the case when they realized its exceptionally negative character, afraid of initiating proceedings that would potentially jeopardize the unity of the army and society as a whole, as well as damage Finland's international reputation. After the war, Oesch was eventually sentenced to three years' imprisonment for the 'involuntary manslaughter' of seventeen POWs. Had the charges been brought for 'manslaughter', the prison

²⁶ NA, Supreme Court, 993/507 VD 1946, vol. 4.

sentence would have been much longer.²⁷ (Finland did not impose capital punishment for war crimes. The most severe sentence was life imprisonment.)²⁸

GHQ also concealed the killing of prisoner-patients by a nurse in a field hospital who murdered her patients either by shooting them or giving them morphine overdoses. During the war she was hidden by the authorities in a mental institution and was not tried until the war was over. The Court found that the nurse was not criminally fully responsible due to mental disorder but was not unaccountable for her actions. She was sentenced to four years' imprisonment for two manslaughter indictments.²⁹

In addition to the IV Army Corps (the Karelian Isthmus Group), the staffs of other army corps also knew that illegal shootings occasionally occurred in the POW units operating under them. The Maaselkä Group drafted template minutes for summary killings, to be followed by subordinates so that they looked legal.³⁰ The IV Army Corps (the Karelian Isthmus Group) used similar template minutes.³¹ In the VI Army Corps, the POWs were made to promise on their word of honour that they would not escape until GHQ forbade such parole proceedings. In practice, prisoners were shot on illegal grounds.³² However, no other army corps was as active in steering and maintaining the illegalities as the IV Army Corps and the Karelian Isthmus Group.

The GHQ POW inspectors tried to root out these illegalities by interfering unofficially and destroying the POW companies' illegal minutes and orders. They were, however, afraid of stepping on the toes of the army corps staffs and of insisting on legality, but it is also evident that the home troops' and POW commander's staffs knew about the situation in the field.

GHQ did not issue one single illegal order regarding the POWs, either in writing (except for their use in mine clearance which GHQ authorized in its order of 9 March 1942),³³ or unofficially. Had there been some unofficial guidelines, they would have surfaced in the post-war court proceedings. The GHQ forbade any illegalities.

²⁷ NA, Supreme Court, 993/507 VD 1946 and 1455/737 VD 1947 and several other case files and sentence 1 April 1947, p. 593.

²⁸ Capital punishment was no longer used during the peace as of 1949 and the death penalty was removed from the law in 1972. Lindstedt, *Kuolemaan tuomitut*, pp. 632–41.

²⁹ NA, Supreme Court, 366/187 VD 1946 and sentence 2 May 1946, p. 25.

³⁰ NA, Supreme Court, 98/55 VD 1949.

³¹ NA, Supreme Court, 993/507 VD 1946; NA, Sörnänen, T-11491.

³² NA, Supreme Court, 716/366 VD 1946.

³³ NA, Sörnänen, T-2535/7–8. Compare Bourke, *An Intimate History*, p. 172.

The upper and middle levels of prisoner organization (home troops and POW commander's staff, army corps, POW inspectors and the commanders of the prison camps) required that guards who did not fulfil their duties and let prisoners escape had to be brought to justice and punished severely. Prison camps and their workplaces were closed, the commanders were changed and the right to use POWs as labour was taken away from certain employers. This was mainly due to disturbances caused by the prisoners, their escapes or by guards being killed by prisoners, but sometimes the reason was that the POW formation had had too many prisoners killed under unclear circumstances. Although the upper ranks valued the maintenance of order much more than the life of the POWs, the prisoners' safety was also an issue. They only intervened in the problems and illegalities of individual cases and not as coherently or severely as would have been necessary from a legal point of view. No level of the military, from the bottom up to GHQ, was willing or had the courage to state the reality of a situation or require radical improvements and zero tolerance. There were so many parties involved in the illegalities, in one way or another, that it was wiser not to face facts. Of course, there was also the danger that excessive liberalism would destroy discipline in the POW camps.

Illegal discipline in POW units was largely the reaction of the commanders and guards to the indiscipline of the prisoners. All levels were aware of the true state of affairs. Those of the highest rank who were furthest away from the day-to-day management of the POW units had, or in the case of the IV Army Corps, could claim the least knowledge of the situation. In a general atmosphere of acceptance, things could continue as they were. It was only after the battle of Stalingrad that attitudes began to change, and this only affected the POWs who were still alive. Investigations into the crimes against POWs did not begin until Finland's hand was forced by armistice.

Defeated by the Soviet Union, by the end of the 1940s Finland was forced to render a thorough account of her wartime transgressions against enemy soldiers. During the war, Finland had been preoccupied with the safety of its own troops and citizens and in the fight against enemy forces. The fate of POWs was very secondary in the light of these issues. Soviet prisoners, humbled and powerless, had to suffer the consequences of being held responsible for the reputation of their country tarnished by the activities of its leaders.

In line with the Regulations of the Hague Convention, the Finnish government and GHQ were ultimately responsible for the treatment of the Soviet POWs. This was mainly a moral responsibility. A democratic country governed by the rule of law (where, naturally, certain civil rights were limited during the war), Finland was different from

the Third Reich or the Stalinist Soviet Union with their centralized extermination apparatuses, steered from above. The German and Soviet killing machines also focused on POWs (compare the infamous massacre of Polish POW officers at Katyn). Practice during the Finnish Continuation War shows that war crimes are by no means a monopoly of dictatorships but are committed, irrespective of political systems, by all countries at war.